



# CITY OF LODI COUNCIL COMMUNICATION

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**AGENDA TITLE:** Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$68,403.81).

**MEETING DATE:** September 17, 2008 City Council Meeting

**PREPARED BY:** City Attorney's Office

**RECOMMENDED ACTION:** Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$68,403.81).

**BACKGROUND INFORMATION:** Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; Kronick, Moskovitz, Tiedemann & Girard and Miscellaneous Invoices for services incurred relative to the Environmental Abatement Program litigation and various other matters that are currently outstanding and need to be considered for payment.

## Folger Levin & Kahn - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Water Acct.
8002	110298	May-08	People v. M & P Investments	9,145.25
		Jun-Jul 2008	Carol M. Langford, Expert Wit Re: Envision	2,670.00
			(Payment Processed Prior)	-2,670.00
8008	110568	Aug-08	People v. Envision	55,579.31
			<b>Total</b>	<b>\$64,724.56</b>

## Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	100351.7323
11233.026	240641	08/25/08	Lodi First v. City of Lodi	\$760.50

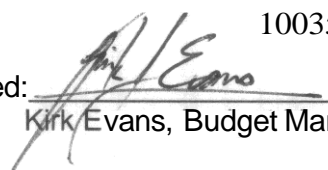
## MISCELLANEOUS

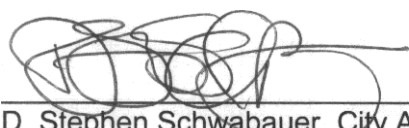
Invoice No.	Date	Description	Water Account
1005	4/11/2008	Benchmark Video	1,170.00
1006	7/8, 7/15/08	Benchmark Video	1,748.75
			<b>\$2,918.75</b>

**FISCAL IMPACT** Expenses in the amount of \$760.50 will be paid out of the General Fund and billed to Walmart for City's defense of the Lodi First litigation. The remaining expenses will be paid out of the Water Fund.

**FUNDING AVAILABLE:** 184010.7323 - \$67,643.31  
100351.7323 - \$ 760.50

Approved:

  
Kirk Evans, Budget Manager

  
D. Stephen Schwabauer, City Attorney

APPROVED:

  
Blair King, City Manager